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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/621,486

07/16/2003

Luu D. Tran

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2493

32615 7590 06/30/2008

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EXAMINER

DOAN, DUYEN MY

ART UNIT

PAPER NUMBER

2152

NOTIFICATION DATE

DELIVERY MODE

06/30/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/621,486	<b>Applicant(s)</b> TRAN ET AL.	
	<b>Examiner</b> DUYEN M. DOAN	<b>Art Unit</b> 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/22/05;9/2/04</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

Claims 1-36 are presented for examination.

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 7/22/2005 and 9/2/2004, the information disclosure statement is being considered by the examiner.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jiang et al (us 6,741,853) (hereinafter Jiang) in view of Crabtree et al (us 2004/0039814) (hereinafter Crabtree).

As regarding claim 1, Jiang discloses reading a plurality of settings associated with an electronic device, wherein said plurality of settings defines a context within which to display content at said electronic device (see Jiang col.1, lines 59-67, device capabilities, such as display capabilities); matching said list of filter criteria with a

resource to be displayed with said content (see Jiang col.19, lines 26-48, determine the device capabilities and the content type); and retrieving said resource from memory (see Jiang col.20, lines 35-46).

Jiang does not clearly disclose the concept of incorporating plurality of settings into values associated with a list of filter criteria, wherein said list of filter criteria is organized in a hierarchical order.

Crabtree teaches the concept of incorporating plurality of settings into values associated with a list of filter criteria (see Crabtree pg.4, par 0062, each interest associate with a unique identifier), wherein said list of filter criteria is organized in a hierarchical order (see Crabtree pg.4, par 0073, interests are arrange in tree hierarchy).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Crabtree to the invention of Jiang to have settings associated with values, and organized it in hierarchical order for the purpose of conveniently filter information in order to reduce the volume of information that is not relevant to user (see Crabtree pg.3, par 0051).

As regarding claim 2, Jiang-Crabtree discloses sending said resource to said electronic device for display (see Jiang col.19, lines 39-46).

As regarding claim 3, Jiang-Crabtree discloses ordering said list of filter criteria by developer design, said developer creating a channel of content comprising said resource (see Jiang col.20, lines 20-34).

As regarding claim 4, Jiang-Crabtree discloses at least one filter criteria in said list of filter criteria is optional (see Jiang col.19, lines 15-35).

As regarding claim 5, Jiang-Crabtree discloses wherein at least one filter criteria in said list of filter criteria is required (see Jiang col.19, lines 15-35)..

As regarding claim 6, Jiang-Crabtree discloses matching each of said list of filter criteria with a supported chain of filter criteria following said hierarchical order to create a set of matches (see Jiang col.19, lines 15-48); and returning a property value associated with the last filter criteria that is matched, said property value defining said resource (see Jiang col.19, lines 15-48).

As regarding claim 7, Jiang-Crabtree discloses reaching a fail match and using said last filter criterion that is matched to define said property value as a default (see Jiang col.20, lines 35-58).

As regarding claim 8, Jiang-Crabtree discloses terminating said matching without encountering a failed match (see Jiang col.20, lines 35-58).

As regarding claim 9, Jiang-Crabtree discloses repeating said matching and said returning to discover a plurality of possible permutations, in response to terminating said

matching without encountering a failed match (see Jiang col.20, lines 35-58); selecting a first permutation with the highest number of matches, said first permutation associated with said property value (see Jiang col.20, lines 35-58).

As regarding claim 10, Jiang-Crabtree discloses said resource comprises a property value associated with a matched set of filter criteria (see Crabtree pg.4, par 0062, each interest associate with a unique identifier). The same motivation was utilized in claim 1 applied equally well to claim 10.

As regarding claim 11, Jiang discloses a) storing said content comprising a plurality of resources selectable by supported chains of filter criteria, wherein said content is separately configurable to a plurality of contextual environments (see Jiang col.1, lines 59-67, device capabilities, such as display capabilities); storing a list of filter criteria associated with said content (see Jiang col.11, lines 23-47); selecting a resource to configure said content to a electronic device by matching said list of filter criteria, that is adjusted for settings associated with a wireless electronic device requesting said content, with a supported chain of filter criteria that defines said resource from said plurality of resources (col.19, lines 55-59; col.20, lines 54-58).

Jiang does not clearly teach list of filter criteria is organized in a hierarchical order.

Crabtree teaches list of filter criteria is organized in a hierarchical order (see Crabtree pg.4, par 0073, interests are arrange in tree hierarchy).

The same motivation was utilized in claim 1 applied equally well to claim 11.

As regarding claims 12-21, limitations of claims 12-21 are similar to limitations of rejected claims 1-10, therefore rejected for the same rationale.

As regarding claims 22-26, limitations of claims 22-26 are similar to limitations of rejected claims 1-10, therefore rejected for the same rationale.

As regarding claims 27-36, limitations of claims 27-36 are similar to limitations of rejected claims 1-10, therefore rejected for the same rationale.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DUYEN M. DOAN whose telephone number is (571)272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. M. D./  
Examiner, Art Unit 2152

/Bunjob Jaroenchonwanit/  
Supervisory Patent Examiner, Art Unit 2152